

chapter 4

How to Handle Complaints



How to Handle Complaints

Local Environmental Problems or Violations

To request assistance in dealing with private sector facility violations, or to register an environmental complaint, contact the Region Office assigned to the county where the alleged problem is located. TNRCC has established procedures whereby the field staff will investigate alleged violations, complaints or requests for assistance once the most appropriate course of action has been determined. An investigation may take the form of an on-site inspection, sampling of a discharge, or, if TNRCC does not have jurisdiction, referral to another agency. Whatever the course of action, the Region Office should keep you informed of the status of the request.

Exceptions to this process are:

National Flood Insurance Program Communities

If a complaint is against the local permitting entity, the complaint will be handled either through a County Commissioner's Court or a City Council. The local flood management court order or city ordinance will list details on how to pursue this type of complaint.

In the event of a suspected violation by a private individual, any of the following agencies may be contacted to determine which agency has enforcement jurisdiction:

- ▼ Federal Emergency Management Agency
817/898-5127
- ▼ Texas Natural Resource Conservation
Commission 512/239-4730
- ▼ Department of Public Safety 512/465-2449

If TNRCC has jurisdiction, the Floodplain Coordinator will investigate the complaint to establish what actions are necessary to pursue enforcement. Violators of the Texas Water Code may be referred to the Attorney General's Office (AG). The AG may pursue legal remedies through the state district court system.

National Pollutant Discharge Elimination System (NPDES) Stormwater Permits

For problems with stormwater or NPDES stormwater permit complaints, contact EPA Region VI at 214/665-7180.

When You Have a Complaint with TNRCC Personnel

Region Office Personnel

Field Operations Division management is dedicated to good customer service, which includes resolution of regulated community conflicts with the field staff. Your grievance can be resolved only if it is brought to the attention of the proper management. Program divisions cannot rectify Field Operations' personnel issues. If the circumstances are such that you think you should not or cannot deal directly with the inspector on the issue, the steps listed below should be taken to resolve your problem. Region Office program contacts are listed in Chapter 1.

If you are unable to resolve a complaint directly with an inspector, you should pursue your grievance up the TNRCC Field Operations

Division chain of command in the following manner, or contact the Local Government Assistance Office at 800/687-9222.

The first point of contact should be the inspector's supervisor, the region air, water or waste program manager. State specifically who, what, when and where, and provide your account of the incident. Expect the program manager to investigate the situation prior to giving you a final answer.

If the program manager's response is inadequate, your next step should be to contact his/her supervisor, the Region Office Manager.

If the Region Office Manager is not responsive, you should notify the specific water, waste or air program director located in Field Operations' Central Office in Austin of your problem.

The Field Operations Division Director should be contacted after all other avenues have failed to resolve the problem.

Central Office Personnel

Similar steps should be taken if you experience a problem with personnel in any of the program divisions located in the Austin Central Office. If you are unable to resolve the matter with the staff member, contact the division director. Division director numbers are listed in Chapter 1, Organizational Responsibilities.

How to Determine the Status of Your Complaint

To determine the status of environmental violation complaints, call the appropriate Region Office or the Field Operations Complaints Coordinator at 512/239-0439.

To expedite your query on the status of a complaint, the following information would be helpful: complaint number, entity/facility name, and address of the entity/facility.

Follow-ups on personnel complaints should be made to the person with whom the complaint was registered.

Local Government Office

If you are still dissatisfied with the handling of a personnel issue, violation, inspection, permit or any other activity regulated by this Agency call the Local Government Assistance Office at 512/239-5300 or 800/687-9222.

Citizen Complaints

Citizen complaints should be directed to the Office of the Ombudsman at 512/239-4000 or 800/687-4040.